

DEC 08 2006

007

Docket No. 047998/0128

# DECLARATION AND POWER OF ATTORNEY

**COPY**

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**PROTEINASE K RESISTANT SURFACE PROTEIN OF NEISSERIA MENINGITIDIS**

the specification of which is attached hereto unless the following box is checked:

☒ was filed on March 15, 1996 as United States Application Number or PCT International Application Number PCT/CA96/00157 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56.

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## PRIOR FOREIGN APPLICATION(S)

NUMBER	COUNTRY	DAY/MONTH/YEAR FILED	PRIORITY CLAIMED

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

APPLICATION NO.	FILING DATE

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APPLICATION SERIAL NO.	FILING DATE	STATUS: PATENTED, PENDING, ABANDONED
08/406,362	March 17, 1995	Pending
60/001,983	August 4, 1995	Pending

I hereby appoint as my attorneys, with full powers of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Stephen A. Bent, Reg. No. 29,768; David A. Blumenthal, Reg. No. 26,257; William T. Ellis, Reg. No. 26,874; John J. Feldhaus, Reg. No. 28,822; Patricia D. Granados, Reg. No. 33,683; John P. Isacson, Reg. No. 33,715; Donald D. Jeffery, Reg. No. 19,980; Eugene M. Lee, Reg. No. 32,039; Richard Linn, Reg. No. 25,144; Peter G. Mack, Reg. No. 26,001; Brian J. McNamara, Reg. No. 32,789; Sybil Meley, Reg. No. 22,749; George B. Quillin, Reg. No. 32,792; Colin J. Sandbrook, Reg. No. 31,298; Bernhard D. Saxe, Reg. No. 28,665; Charles F. Schill, Reg. No. 27,390; Richard L. Schwaab, Reg. No. 25,479; Arthur Schwartz, Reg. No. 22,115; Harold C. Wegner, Reg. No. 25,258.

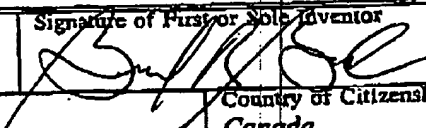
Address all correspondence to FOLBY & LARDNER, 3000 K Street, N.W., Suite 500, P.O. Box 25696, Washington, D.C. 20007-8696, Address telephone communications to Stephen A. Bent at (202) 672-5300.

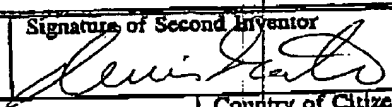
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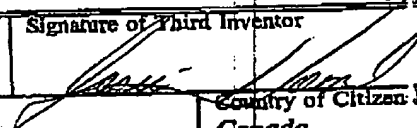
PAGE 2

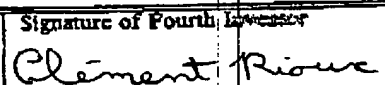
Docket No. 047998/0128

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Full Name of First or Sole Inventor <b>Bernard R. BRODEUR</b>	Signature of First or Sole Inventor 	Date <b>7 Oct 97</b>
Residence Address <b>Sillery, Canada</b>	Country of Citizenship <b>Canada</b>	
Post Office Address <b>2401 Maritain Street, Sillery, Quebec G1T 1N6, Canada</b>		

Full Name of Second Inventor <b>Denis MARTIN</b>	Signature of Second Inventor 	Date <b>7 Oct 97</b>
Residence Address <b>St-Augustin-de-Des Maures, Canada</b>	Country of Citizenship <b>Canada</b>	
Post Office Address <b>4728-G Gaboury Street, St-Augustin-de-Des Maures, Quebec G3A 1E9, Canada</b>		

Full Name of Third Inventor <b>Josee HAMEL</b>	Signature of Third Inventor 	Date <b>7 Oct 97</b>
Residence Address <b>Sillery, Canada</b>	Country of Citizenship <b>Canada</b>	
Post Office Address <b>2401 Maritain Street, Sillery, Quebec G1T 1N6, Canada</b>		

Full Name of Fourth Inventor <b>Clément RIGOUX</b>	Signature of Fourth Inventor 	Date <b>7 Oct 97</b>
Residence Address <b>Ville-de-Cap-Rouge, Canada</b>	Country of Citizenship <b>Canada</b>	
Post Office Address <b>1012 Jean Charles Cantin, Ville-de-Cap-Rouge, Quebec G1Y 2X1, Canada</b>		

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**PROTEINASE K RESISTANT SURFACE PROTEIN OF NEISSERIA MENINGITIDIS**

the specification of which is attached hereto unless the following box is checked:

☒ was filed on November 13, 1997 as United States Application Number or PCT International Application Number 08/913,362 and was amended on November 14, 1999 (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

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NUMBER	COUNTRY	DAY/MONTH/YEAR FILED	PRIORITY CLAIMED

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APPLICATION NO.	FILING DATE
60/001,983	August 4, 1995

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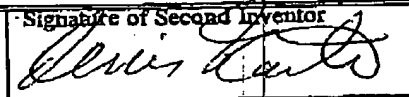
Attorney Docket No. 047998/0128

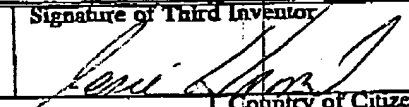
I hereby appoint as my attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Stephen A. Bent, Reg. No. 29,768; David A. Blumenthal, Reg. No. 26,257; William T. Ellis, Reg. No. 26,874; John J. Feldhaus, Reg. No. 28,822; Patricia D. Granados, Reg. No. 33,683; John P. Isaacson, Reg. No. 33,715; Michael D. Kaminski, Reg. No. 32,904; Kenneth B. Krosin, Reg. No. 25,735; Eugene M. Lee, Reg. No. 32,039; Richard Linn, Reg. No. 25,144; Peter G. Mack, Reg. No. 26,001; Brian J. McNamara, Reg. No. 32,789; Sybil Meloy, Reg. No. 22,749; George E. Quillin, Reg. No. 32,792; Colin G. Sandercock, Reg. No. 31,298; Bernhard D. Saxe, Reg. No. 28,665; Charles F. Schill, Reg. No. 27,590; Richard L. Schwaab, Reg. No. 25,479; Arthur Schwartz, Reg. No. 22,115; Harold C. Wegner, Reg. No. 25,258; Law, Glenn, Reg. No. 34,371; Poet, Richard C., Reg. No. 33,792.

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Full Name of First or Sole Inventor Bernard R. BRODEUR	Signature of First or Sole Inventor 	Date 10 Dec 99
Residence Address Sillery, Canada	Country of Citizenship Canada	
Post Office Address 2401 Maritain Street, Sillery, Quebec G1T 1N6, Canada		

Full Name of Second Inventor Denis MARTIN	Signature of Second Inventor 	Date 10 Dec 1999
Residence Address St Augustin-de-Des Maures, Canada	Country of Citizenship Canada	
Post Office Address 4728-G Gaboury Street, St. Augustin-de-Des Maures, Quebec G3A 1E9, Canada		

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Full Name of Fourth Inventor Clement RIOUX	Signature of Fourth Inventor	Date
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Post Office Address 2401 Maritain Street, Sillery, Quebec G1T 1N6, Canada		

Full Name of Fourth Inventor Clement RIOUX	Signature of Fourth Inventor <i>Clement Rioux</i>	Date Dec. 10, 1999
Residence Address Ile Bizard, Canada	Country of Citizenship Canada	
Post Office Address 12 Croissant Barabé, Ile Bizard, Quebec, H9E 1J1, Canada		

**DECLARATION AND POWER OF ATTORNEY RECEIVED****CENTRAL FAX CENTER****DEC 08 2006**

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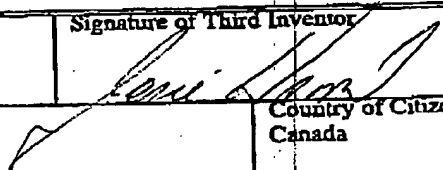
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Full Name of Third Inventor Josec HAMEL	Signature of Third Inventor 	Date 10 Dec 99
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December 8, 2006

Mae Joanne Rosok  
Telephone: (206) 622-4900  
maer@SeedIP.com

## Facsimile Transmission

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Fax No: 571-273-8300

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Re: U.S. Patent Application No. 09/684,883

Seed IP Ref: 484112.417C1

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Receipt☐ Please Reply  
ASAP

## Enclosures:

Transmittal Form

Fee Transmittal

Petition Under C.F.R. § 1.181

Declaration and Power of Attorney under 37 C.F.R. § 1.63

Supplemental Declaration and Power of Attorney under 37 C.F.R. § 1.63 and § 1.67(a)

Copy of Declaration and Power of Attorney under 37 C.F.R. § 1.63 and § 1.67(a)

**PLEASE DELIVER IMMEDIATELY TO:****Office of Petitions****CONFIDENTIALITY NOTICE:**

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<b>TRANSMITTAL FORM</b> <i>(To be used for all correspondence after initial filing)</i>	Application Number	09/684,883
	Filing Date	October 6, 2000
	First Named Inventor	Bernard R. Brodeur
	Art Unit	1645
	Examiner Name	Albert Mark Navarro
	Attorney Docket No.	484112.417C1

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement and Transmittal <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input checked="" type="checkbox"/> Declaration(s) <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC ( <i>Appeal Notice, Brief, Reply Brief</i> ) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Other Enclosure(s) ( <i>please identify below</i> ): _____ _____ _____
<b>Remarks</b> _____ _____ _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Seed Intellectual Property Law Group PLLC		Customer Number <b>00500</b>
Signature	<i>Mae Joanne Rosok</i>		
Printed Name	Mae Joanne Rosok		
Date	December 8, 2006	Reg. No.	48,903

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
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Typed or printed name	_____	Date: _____

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
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*Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).*

**Complete if Known**

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	(\$) <b>130</b>
-------------------------	-----------------

Attorney Docket No.	484112.417C1
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**METHOD OF PAYMENT** (check all that apply)

☐ Check    ☐ Credit Card    ☐ Money Order    ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account      Deposit Account Number: 19-1090      Deposit Account Name: Seed IP Law Group PLLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below

☐ Charge fee(s) indicated below, except for the filing fee

☐ Charge any additional fee(s) or underpayments☒ Charge any underpayments or credit any overpayments

of fee(s) under 37 CFR 1.16 and 1.17

**FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)**

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES	SEARCH FEES	EXAMINATION FEES	
		Small Entity	Small Entity	Small Entity
Application Type	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)
Utility	300	150	500	250
Design	200	100	100	50
Provisional	200	100	0	0

## 2. EXCESS CLAIM FEES

<u>Fee Description</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>
-20 or HP =	X	=		Fee (\$)
				Fee Paid (\$)

**HP = highest number of total claims paid for, if greater than 20.**

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
-3 or HP =	X	=	

HP = highest number of independent claims paid for, if greater than 3.

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)) the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
-100 =	/50 =	(round up to a whole number) x		

**4. OTHER FEE(S)**

**Non-English Specification, \$130 fee (no small entity discount)**

Other (e.g., late filing surcharge): Declaration Surcharge

130

## SUBMITTED BY

Signature	<i>Mae Joanne Rosok</i>	Registration No. (Attorney/Agent)	48,903	Telephone	206-622-4900
Name (Print/Type)	Mae Joanne Rosok			Date	December 8, 2006

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**BEST AVAILABLE COPY**